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No. 92-1442

In the Supreme Court of the United States

OCTOBER TERM, 1993

MICHAEL L. BARKLEY PRIVATE E1, U.S. ARMY, PETITIONER

v.

THE UNITED STATES OF AMERICA, RESPONDENT

AND OTHER CASES

SUPPLEMENTAL APPENDIX

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2/6/92

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APPENDICES

APPENDIX H

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68532/AR
CMR Dkt. No. 9102247

UNITED STATES, APPELLEE

v.

SAMUEL A. CARNEY (356-70-6202), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 14th day of January, 1993

ORDERED

That said petition is hereby granted on Issue III raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (WEISE)
Appellate Government Counsel (SAUNDERS)

APPENDIX I

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68535/AR
CMR Dkt. No. 9102697

UNITED STATES, APPELLEE

v.

ERIC M. DENET (438-06-8017), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 14th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (WIGHT)
Appellate Government Counsel (GRANT)

APPENDIX J

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0043/AR
CMR Dkt. No. 9102591

UNITED STATES, APPELLEE

v.

GARNETT L. HERRON (385-80-7402), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 14th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (PACELLA)
Appellate Government Counsel (SWETNAM)

APPENDIX K

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68447/AR
CMR Dkt. No. 9101280

UNITED STATES, APPELLEE

v.

SHANNON S. GILL (437-43-6732), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 14th day of January, 1993

ORDERED

That said petition is hereby granted on Issue II raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (HUBER)
Appellate Government Counsel (LUCAS)

APPENDIX L

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0121/AR
CMR Dkt. No. 9102820

UNITED STATES, APPELLEE

v.

BENJAMIN A. HAYWOOD (099-62-1462), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 14th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (WIGHT)
Appellate Government Counsel (SWETNAM)

APPENDIX M

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0021/AR
CMR Dkt. No. 9201106

UNITED STATES, APPELLEE

v.

SYLVESTER HERLONG, JR. (587-49-2953), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 14th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (TALL)
Appellate Government Counsel (SWETNAM)

APPENDIX N

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68490/AR
CMR Dkt. No. 9102131

UNITED STATES, APPELLEE

v.

TERRANCE L. HOLLAND (262-55-0347), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 14th day of January, 1993

ORDERED

That said petition is hereby granted on Issue II raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (PACELLA)
Appellate Government Counsel (WALTERS)

APPENDIX O

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0111/AR
CMR Dkt. No. 9200972

UNITED STATES, APPELLEE

v.

JAMES McDONALD (408-08-0264), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 14th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (ROYER)
Appellate Government Counsel (RUSSELBURG)

APPENDIX P

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68536/AR
CMR Dkt. No. 9200519

UNITED STATES, APPELLEE

v.

BILLY G. MORRISON (407-96-4348), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 14th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (DIEDRICHS)
Appellate Government Counsel (SWETNAM)

APPENDIX Q

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68254/AR
CMR Dkt. No. 9101896

UNITED STATES, APPELLEE

v.

CHARLES J. SIER (394-76-9265), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 14th day of January, 1993

ORDERED

That said petition is hereby granted on Issue III raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (PACELLA)
Appellate Government Counsel (WALTERS)

APPENDIX R

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0032/AR
CMR Dkt. No. 9200500

UNITED STATES, APPELLEE

v.

DAVID J. AGUIAR (037-52-7160), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 14th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (LEWIS)
Appellate Government Counsel (SWETNAM)

APPENDIX S

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68480/AR
CMR Dkt. No. 9102484

UNITED STATES, APPELLEE

v.

DAVID A. CLAYTON (142-72-2095), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 14th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (NORRIS)
Appellate Government Counsel

APPENDIX T

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68514/AR
CMR Dkt. No. 9201236

UNITED STATES, APPELLEE

v.

VINCENT P. FERGERSON (335-64-8094), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 15th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (THOMAS)
Appellate Government Counsel (GRANT)

APPENDIX U

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0154/AR
CMR Dkt. No. 9102507

UNITED STATES, APPELLEE

v.

CHRISTOPHER S. HILL (420-11-8735), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 15th day of January, 1993

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (ANDREA)
Appellate Government Counsel (SWETNAM)

APPENDIX V

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0051/AR
CMR Dkt. No. 9201000

UNITED STATES, APPELLEE

v.

MARCUS R. HONABACH (277-72-1129), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 15th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (HUBER)
Appellate Government Counsel (SWETNAM)

APPENDIX W

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0077/AR
CMR Dkt. No. 9100968

UNITED STATES, APPELLEE

v.

KEVIN J. HYLIN (356-54-7024), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 15th day of January, 1993

ORDERED

That said petition is hereby granted on Issue II raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (SMITH)
Appellate Government Counsel (GRANT)

APPENDIX X

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68464/AR
CMR Dkt. No. 9002543

UNITED STATES, APPELLEE

v.

CHARLES J. JACKSON (422-92-6754), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 15th day of January, 1993

ORDERED

That said petition is hereby granted on Issue II raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (TALL)
Appellate Government Counsel (BARLETT)

APPENDIX Y

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0035/AR
CMR Dkt. No. 9200843

UNITED STATES, APPELLEE

v.

DARRYL B. LEE (254-08-0196), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 15th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (ROYER)
Appellate Government Counsel (SWETNAM)

APPENDIX Z

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0079/AR
CMR Dkt. No. 9201489

UNITED STATES, APPELLEE

v.

RALPH E. MARTIN (488-64-5057), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* __ MJ __ (CMA December 21, 1992), it is by the Court this 15th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (LEWIS)
Appellate Government Counsel (SWETNAM)

APPENDIX AA

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0046/AR
CMR Dkt. No. 9102265

UNITED STATES, APPELLEE

v.

KEVIN E. BAILEY (350-62-3327), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 19th day of January, 1993

ORDERED

That said petition is hereby granted on Issue II raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (NORRIS)
Appellate Government Counsel (LUCAS)

APPENDIX BB

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0068/AR
CMR Dkt. No. 9102187

UNITED STATES, APPELLEE

v.

TERRY L. GERWIN (271-54-0579), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 19th day of January, 1993

ORDERED

That said petition is hereby granted on the following issue specified by the Court:

> WHETHER APPELLANT'S COURT-MARTIAL LACKED JURISDICTION BECAUSE THE MILITARY JUDGE WAS DESIGNATED IN VIOLATION OF THE APPOINTMENTS CLAUSE OF THE CONSTITUTION.

The decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (THOMAS)
Appellate Government Counsel

APPENDIX CC

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0094/AR
CMR Dkt. No. 9101274

UNITED STATES, APPELLEE

v.

EARL H. JOHNSON (224-86-6023), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 19th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (POPE)
Appellate Government Counsel (POLCEN)

APPENDIX DD

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68528/AR
CMR Dkt. No. 9100923

UNITED STATES, APPELLEE

v.

SHAWN P. O'HALLORAN (358-56-4587), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 19th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (NORRIS)
Appellate Government Counsel (SMITH)

APPENDIX EE

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0093/AR
CMR Dkt. No. 9201027

UNITED STATES, APPELLEE

v.

JAMES C. PARKER (360-58-1889), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 19th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (BECKER)
Appellate Government Counsel (RUSSELBURG)

APPENDIX FF

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0049/AR
CMR Dkt. No. 9200776

UNITED STATES, APPELLEE

v.

DAVID M. ROBINSON (148-58-7684), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 19th day of January, 1993

ORDERED

That said petition is hereby granted on Issue II raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (CAREY)
Appellate Government Counsel (LUCAS)

APPENDIX GG

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0044/AR
CMR Dkt. No. 9101546

UNITED STATES, APPELLEE

v.

BRIAN L. WILCOXSON (336-66-4399), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 19th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (TURNEY)
Appellate Government Counsel (POLCEN)

APPENDIX HH

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0066/AR
CMR Dkt. No. 9101148

UNITED STATES, APPELLEE

v.

JEFF BAKER (386-72-8666), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 22nd day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (LEWIS)
Appellate Government Counsel (McDONALD)

APPENDIX II

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0177/AR
CMR Dkt. No. 9200407

UNITED STATES, APPELLEE

v.

EDDIE L. CANTY (530-76-0545), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 22nd day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (BECKER)
Appellate Government Counsel (RUSSELBURG)

APPENDIX JJ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0099/AR
CMR Dkt. No. 9200352

UNITED STATES, APPELLEE

v.

ARTIS P. EVANS (433-11-2211), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 22nd day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (LEWIS)
Appellate Government Counsel (GRANT)

APPENDIX KK

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0091/AR
CMR Dkt. No. 9102056

UNITED STATES, APPELLEE

v.

PHYLLIS S. GRANT (248-47-8865), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 22nd day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (ANDREA)
Appellate Government Counsel (WALTERS)

APPENDIX LL

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0136/AR
CMR Dkt. No. 9200210

UNITED STATES, APPELLEE

v.

ROBERT E. HAYWARD (363-82-0218), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 22nd day of January, 1993

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (LEWIS)
Appellate Government Counsel (GRANT)

APPENDIX MM

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0067/AR
CMR Dkt. No. 9102795

UNITED STATES, APPELLEE

v.

LAVERNE MADISON (070-48-6961), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 22nd day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (PACELLA)
Appellate Government Counsel (SWETNAM)

APPENDIX NN

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0137/AR
CMR Dkt. No. 9200494

UNITED STATES, APPELLEE

v.

RICKY D. MCLENDON (245-35-6126), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 22nd day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (ANDREA)
Appellate Government Counsel (SWETNAM)

APPENDIX OO

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0050/AR
CMR Dkt. No. 9201018

UNITED STATES, APPELLEE

v.

ROBERT J. WOOD III (265-63-3507), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 22nd day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (WALTERHOUSE)
Appellate Government Counsel (RUSSELBURG)

APPENDIX PP

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0090/AR
CMR Dkt. No. 9200611

UNITED STATES, APPELLEE

v.

MICHAEL L. BARKLEY (253-25-0770), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 25th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (TALL)
Appellate Government Counsel (GRANT)

APPENDIX QQ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0022/AR
CMR Dkt. No. 9101464

UNITED STATES, APPELLEE

v.

ROGER K. BELL (312-74-6951), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 25th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (NORRIS)
Appellate Government Counsel (RUSSELBURG)

APPENDIX RR

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0181/AR
CMR Dkt. No. 9102874

UNITED STATES, APPELLEE

v.

RICHARD J. CAPONETTO (493-94-8073), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 25th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (BECKER)
Appellate Government Counsel (RUSSELBURG)

APPENDIX SS

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0138/AR
CMR Dkt. No. 9100620

UNITED STATES, APPELLEE

v.

TOM CLEMONS (421-70-2792), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 25th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (ANDREA)
Appellate Government Counsel (SMITH)

APPENDIX TT

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0227/AR
CMR Dkt. No. 9200929

UNITED STATES, APPELLEE

v.

JAMES F. CRAFT (229-88-1918), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 25th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (ANDREA)
Appellate Government Counsel (RUSSELBURG)

APPENDIX UU

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0106/AR
CMR Dkt. No. 9102128

UNITED STATES, APPELLEE

v.

CLIFFORD W. CURTIS (594-34-1505), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 25th day of January, 1993

ORDERED

That said petition is hereby granted on Issue II raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (THOMAS)
Appellate Government Counsel (WALTERS)

APPENDIX VV

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0107/AR
CMR Dkt. No. 9201020

UNITED STATES, APPELLEE

v.

KENNETH L. ESTES (453-19-5018), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 25th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (ANDREA)
Appellate Government Counsel (GRANT)

APPENDIX WW

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0036/AR
CMR Dkt. No. 9200405

UNITED STATES, APPELLEE

v.

JEFFREY L. PHILLIPS (260-47-7004), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 25th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (DIEDRICHS)
Appellate Government Counsel (RUSSELBURG)

APPENDIX XX

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0071/AR
CMR Dkt. No. 9200506

UNITED STATES, APPELLEE

v.

GREGORY H. SAM (434-04-5669), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 25th day of January, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (NORRIS)
Appellate Government Counsel (SWETNAM)

APPENDIX YY

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0104/AR
CMR Dkt. No. 9100296

UNITED STATES, APPELLEE

v.

RAMON C. SENTELL (527-29-0521), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 25th day of January, 1993

ORDERED

That said petition is hereby granted on Issue II raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (HUBER)
Appellate Government Counsel (McDONALD)

APPENDIX ZZ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68446/AR
CMR Dkt. No. 9002008

UNITED STATES, APPELLEE

v.

KEVIN G. GARNER (554-11-3603), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 26th day of January, 1993

ORDERED

That said petition is hereby granted on Issue IV raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (MAYER)
Appellate Government Counsel (SMITH)

APPENDIX AAA

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 66651/AR
CMR Dkt. No. 8903075

UNITED STATES, APPELLEE

v.

JAMES H. DALLMAN (325-46-9740), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review on further review, we conclude that the action taken by the court below was sufficient as a matter of law. Accordingly, it is by the Court this 27th day of January, 1993

ORDERED

That said petition is hereby granted; and

That the decision of the United States Army Court of Military Review on further review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (BECKER)
Appellate Government Counsel (LUCAS)

APPENDIX BBB

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68274/AR
CMR Dkt. No. 9102278

UNITED STATES, APPELLEE

v.

MICHAEL C. K. GRIM (375-25-9527), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue II) and *United States v. Weiss,* 36 MJ 224 (CMA December 21, 1992) (as to Issue I), it is by the Court this 17th day of February, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (POPE)
Appellate Government Counsel (WALTERS)

APPENDIX CCC

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68299/AR
CMR Dkt. No. 9100810

UNITED STATES, APPELLEE

v.

LEROY D. HAMILTON (370-76-5093), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue III) and *United States v. Weiss,* 36 MJ 224 (CMA December 21, 1992) (as to Issue II), it is by the Court this 17th day of February, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (TURNEY)
Appellate Government Counsel (McDONALD)

APPENDIX DDD

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68314/AR
CMR Dkt. No. 9200267

UNITED STATES, APPELLEE

v.

JUSTIN L. METTLER (519-96-4367), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue II) and *United States v. Weiss,* 36 MJ 224 (CMA December 21, 1992) (as to Issue I), it is by the Court this 17th day of February, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (HUBER)
Appellate Government Counsel (BARLETT)

APPENDIX EEE

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68301/AR
CMR Dkt. No. 9101569

UNITED STATES, APPELLEE

v.

TAAVASA K. PALAITA (576-84-1071), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue II) and *United States v. Weiss,* 36 MJ 224 (CMA December 21, 1992) (as to Issue I), it is by the Court this 17th day of February, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (TURNEY)
Appellate Government Counsel (BARLETT)

APPENDIX FFF

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68488/AR
CMR Dkt. No. 9100587

UNITED STATES, APPELLEE

v.

EDWARD G. BICKELS (506-90-7482), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 18th day of February, 1993

ORDERED

That said petition is hereby granted on Issue IV raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (NORRIS)
Appellate Government Counsel (McDONALD)

APPENDIX GGG

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0179/AR
CMR Dkt. No. 9200992

UNITED STATES, APPELLEE

v.

EVERETT E. BRADLEY (265-51-7394), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 18th day of February, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (SWOPE)
Appellate Government Counsel (RUSSELBURG)

APPENDIX HHH

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0240/AR
CMR Dkt. No. 9102210

UNITED STATES, APPELLEE

v.

LORENZO B. FRANCO (572-19-4143), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992), it is by the Court this 18th day of February, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (TURNEY)
Appellate Government Counsel (RUSSELBURG)

APPENDIX III

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0235/AR
CMR Dkt. No. 9200451

UNITED STATES, APPELLEE

v.

STEVEN W. RUD (471-62-4350), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992), it is by the Court this 18th day of February, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (ROYER)
Appellate Government Counsel (SWETNAM)

APPENDIX JJJ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0027/AR
CMR Dkt. No. 9100578

UNITED STATES, APPELLEE

v.

JEREMY A. SCHMIDT (381-90-4190), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 18th day of February, 1993

ORDERED

That said petition is hereby granted on Issue II raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (TURNEY)
Appellate Government Counsel (BARLETT)

APPENDIX KKK

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0278/AR
CMR Dkt. No. 9102552

UNITED STATES, APPELLEE

v.

GLENN M. URICK (424-92-3222), APPELLANT

ORDER DENYING PETITION

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review, it is by the Court this 18th day of February, 1993

ORDERED

That said petition be, and the same is hereby denied.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (HUBER)
Appellate Government Counsel (RUSSELBURG)

APPENDIX LLL

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0116/AR
CMR Dkt. No. 9102860

UNITED STATES, APPELLEE

v.

SCOTT E. WALKER (239-47-5020), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 18th day of February, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (LEWIS)
Appellate Government Counsel (RUSSELBURG)

APPENDIX MMM

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0224/AR
CMR Dkt. No. 9200908

UNITED STATES, APPELLEE

v.

HORACE L. BROWN (587-27-7262), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 19th day of February, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (LEWIS)
Appellate Government Counsel (RUSSELBURG)

APPENDIX NNN

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0103/AR
CMR Dkt. No. 9100753

UNITED STATES, APPELLEE

v.

ROBERT S. CHOY (218-02-2223), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 19th day of February, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (HUBER)
Appellate Government Counsel (SMITH)

APPENDIX OOO

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0160/AR
CMR Dkt. No. 9102299

UNITED STATES, APPELLEE

v.

JOSEPH CORREIA JR. (030-44-1277), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 19th day of February, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (LEWIS)
Appellate Government Counsel (RUSSELBURG)

APPENDIX PPP

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0042/AR
CMR Dkt. No. 9200766

UNITED STATES, APPELLEE

v.

ERIC M. GRAY (320-74-4498), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 19th day of February, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (DIEDRICHS)
Appellate Government Counsel (RUSSELBURG)

APPENDIX QQQ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0249/AR
CMR Dkt. No. 9102276

UNITED STATES, APPELLEE

v.

WESS C. HOLLOWAY (253-17-3286), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 19th day of February, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (POPE)
Appellate Government Counsel (RUSSELBURG)

APPENDIX RRR

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0114/AR
CMR Dkt. No. 9200204

UNITED STATES, APPELLEE

v.

RICHARD B. MURPHY (533-17-8021), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 19th day of February, 1993

ORDERED

That said petition is hereby granted on Issue II raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (PACELLA)
Appellate Government Counsel (POLCEN)

APPENDIX SSS

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0147/AR
CMR Dkt. No. 9200348

UNITED STATES, APPELLEE

v.

BRETT J. SAMS (328-60-1230), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 19th day of February, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (BECKER)
Appellate Government Counsel (RUSELBURG)

APPENDIX TTT

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0171/AR
CMR Dkt. No. 9200160

UNITED STATES, APPELLEE

v.

HENRY SCOTT (253-08-6726), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 19th day of February, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (SMITH)
Appellate Government Counsel (RUSSELBURG)

APPENDIX UUU

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0115/AR
CMR Dkt. No. 9101567

UNITED STATES, APPELLEE

v.

MICHAEL SLEDGE (415-92-5120), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 19th day of February, 1993

ORDERED

That said petition is hereby granted on Issue VI raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (SMITH)
Appellate Government Counsel (SMITH)

APPENDIX VVV

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68491/AR
CMR Dkt. No. 9102122

UNITED STATES, APPELLEE

v.

JONATHAN T. WILLIAMS (265-55-7650), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 19th day of February, 1993

ORDERED

That said petition is hereby granted on Issue IV raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (ANDREA)
Appellate Government Counsel (GRANT)

APPENDIX WWW

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68255/AR
CMR Dkt. No. 9102800

UNITED STATES, APPELLEE

v.

ANTHONY L. ALEXANDER (078-58-5068), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue II) and *United States v. Weiss,* 36 MJ 224 (CMA 1992), (as to Issue I), it is by the Court this 22nd day of February, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (KEABLE)
Appellate Government Counsel (BARLETT)

APPENDIX XXX

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68321/AR
CMR Dkt. No. 9200300

UNITED STATES, APPELLEE

v.

JAMES E. BUSBY, JR. (461-53-8793), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue II) and *United States v. Weiss,* 36 MJ 224 (CMA 1992), (as to Issue I), it is by the Court this 22nd day of February, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (KEABLE)
Appellate Government Counsel (BARLETT)

APPENDIX YYY

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68348/AR
CMR Dkt. No. 9200720

UNITED STATES, APPELLEE

v.

CHRISTOPHER K. JACKSON (591-20-1891), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf*, 35 MJ 450 (CMA 1992) (as to Issue II) and *United States v. Weiss*, 36 MJ 224 (CMA 1992), (as to Issue I), it is by the Court this 22nd day of February, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (THOMAS)
Appellate Government Counsel (BARLETT)

APPENDIX ZZZ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68293/AR
CMR Dkt. No. 9102585

UNITED STATES, APPELLEE

v.

MATTHEW H. NORTHRUP (474-92-3567), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue III) and *United States v. Weiss,* 36 MJ 224 (CMA 1992), (as to Issue II), it is by the Court this 22nd day of February, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (TALL)
Appellate Government Counsel (BARLETT)

APPENDIX AAAA

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68256/AR
CMR Dkt. No. 9200479

UNITED STATES, APPELLEE

v.

COSMO M. SPELLINGS (594-05-6057), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue II) and *United States v. Weiss,* 36 MJ 224 (CMA 1992), (as to Issue I), it is by the Court this 22nd day of February, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (TALL)
Appellate Government Counsel (BARTLETT)

APPENDIX BBBB

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68273/AR
CMR Dkt. No. 9102696

UNITED STATES, APPELLEE

—*v.*

JAMES G. THOMAS (411-06-2571), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue II) and *United States v. Weiss,* 36 MJ 224 (CMA 1992), (as to Issue I), it is by the Court this 22nd day of February, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (THOMAS)
Appellate Government Counsel (BARLETT)

APPENDIX CCCC

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68349/AR
CMR Dkt. No. 9101716

UNITED STATES, APPELLEE

v.

VADA R. VINSON (322-78-9625), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue II) and *United States v. Weiss,* 36 MJ 224 (CMA 1992), (as to Issue I), it is by the Court this 22nd day of February, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (PACELLA)
Appellate Government Counsel (WALTERS)

APPENDIX DDDD

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68268/AR
CMR Dkt. No. 9102752

UNITED STATES, APPELLEE

v.

JASON J. WARREN (422-21-5040), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue II) and *United States v. Weiss,* 36 MJ 224 (CMA 1992), (as to Issue I), it is by the Court this 23rd day of February, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (TOOLE)
Appellate Government Counsel (BARLETT)

APPENDIX EEEE

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0088/AR
CMR Dkt. No. 9101604

UNITED STATES, APPELLEE

v.

MICHAEL E. FOSTER (535-04-5926), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 19th day of February, 1993

ORDERED

That said petition is hereby granted on Issue II raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (WALTERHOUSE)
Appellate Government Counsel (TOBIN)

APPENDIX FFFF

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68269/AR
CMR Dkt. No. 9101438

UNITED STATES, APPELLEE

v.

JAMES J. KRZCUIK, JR. (568-27-4114), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue III) and *United States v. Weiss,* 36 MJ 224 (CMA 1992), (as to Issue II), it is by the Court this 23rd day of February, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (TURNEY)
Appellate Government Counsel (KIRSCHNER)

APPENDIX GGGG

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0146/AR
CMR Dkt. No. 9200741

UNITED STATES, APPELLEE

v.

WAYNE M. LYN (217-11-6003), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 23rd day of February, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (HALL)
Appellate Government Counsel (RUSSELBURG)

APPENDIX HHHH

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68531/AR
CMR Dkt. No. 9102077

UNITED STATES, APPELLEE

v.

MICHAEL A. MAHONEY (565-27-7297), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 23rd day of February, 1993

ORDERED

That said petition is hereby granted on Issue II raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (TURNEY)
Appellate Government Counsel (McDONALD)

APPENDIX IIII

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0270/AR
CMR Dkt. No. 9200172

UNITED STATES, APPELLEE

v.

IRVIN L. PERKINS (211-62-9526), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992), it is by the Court this 23rd day of February, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (NORRIS)
Appellate Government Counsel (McDONALD)

APPENDIX JJJJ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0112/AR
CMR Dkt. No. 9201665

UNITED STATES, APPELLEE

v.

THOMAS C. ROACH (275-60-5380), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992), it is by the Court this 23rd day of February, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (HEATON)
Appellate Government Counsel (RUSSELBURG)

APPENDIX KKKK

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0178/AR
CMR Dkt. No. 9200936

UNITED STATES, APPELLEE

v.

DENIS A. SANCHEZ (070-70-2575), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 23rd day of February, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (WHITE)
Appellate Government Counsel (RUSSELBURG)

APPENDIX LLLL

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0248/AR
CMR Dkt. No. 9201742

UNITED STATES, APPELLEE

v.

RODRICK L. ARTWELL (181-52-6440), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 24th day of February, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (BECKER)
Appellate Government Counsel (RUSSELBURG)

APPENDIX MMMM

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0220/AR
CMR Dkt. No. 9200786

UNITED STATES, APPELLEE

v.

RICARDO B. PONTON (454-69-5958), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 24th day of February, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (WHITE)
Appellate Government Counsel (RUSSELBURG)

APPENDIX NNNN

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0211/AR
CMR Dkt. No. 9200272

UNITED STATES, APPELLEE

v.

VERNON L. PRESSWOOD (459-80-2959), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 24th day of February, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (DIEDRICHS)
Appellate Government Counsel (RUSSELBURG)

APPENDIX OOOO

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0084/AR
CMR Dkt. No. 9002309

UNITED STATES, APPELLEE

v.

JAMES B. GOOCH (433-37-8490), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 25th day of February, 1993

ORDERED

That said petition is hereby granted on Issue III raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (CAREY)
Appellate Government Counsel (GRANT)

APPENDIX PPPP

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0229/AR
CMR Dkt. No. 9200139

UNITED STATES, APPELLEE

v.

WILBERT RABB III (153-62-9617), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992), it is by the Court this 25th day of February, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (DIEDRICHS)
Appellate Government Counsel (RUSSELBURG)

APPENDIX QQQQ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0105/AR
CMR Dkt. No. 9101655

UNITED STATES, APPELLEE

v.

EDWARD ROBLES (553-37-0219), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 25th day of February, 1993

ORDERED

That said petition is hereby granted on Issue II raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (NORRIS)
Appellate Government Counsel (PERAERTZ)

APPENDIX RRRR

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68441/AR
CMR Dkt. No. 9101215

UNITED STATES, APPELLEE

v.

PATRICK J. TIMONEY (542-74-3023), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Army Court of Military Review in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992), it is by the Court this 25th day of February, 1993

ORDERED

That said petition is hereby granted on Issue IV raised by appellate defense counsel; and

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (HYATT, Esq.)
Appellate Government Counsel (WALTERS)

APPENDIX SSSS

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68267/AR
CMR Dkt. No. 9102332

UNITED STATES, APPELLEE

v.

PHILLIP M. BLAIR (311-82-0895), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue II) and *United States v. Weiss,* 36 MJ 224 (CMA 1992), (as to Issue I), it is by the Court this 1st day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (PACELLA)
Appellate Government Counsel (BARLETT)

APPENDIX TTTT

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 65390/AR
CMR Dkt. No. 8801211

UNITED STATES, APPELLEE

v.

DANIEL W. RICHARDSON (575-48-7031), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue II) and *United States v. Weiss,* 36 MJ 224 (CMA 1992), (as to Issue I), it is by the Court this 1st day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (ANDREA)
Appellate Government Counsel (LUCAS)

APPENDIX UUUU

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68392/AR
CMR Dkt. No. 9102200

UNITED STATES, APPELLEE

v.

JOHN P. ANDERSON (516-80-4293), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 3rd day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (WIGHT)
Appellate Government Counsel (SWETNAM)

APPENDIX VVVV

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68247/AR
CMR Dkt. No. 9003064

UNITED STATES, APPELLEE

v.

VASTEE C. HUDDLESTON (414-04-6563), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992) it is by the Court this 3rd day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (HUBER)
Appellate Government Counsel (SMITH)

APPENDIX WWWW

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68495/AR
CMR Dkt. No. 9101949

UNITED STATES, APPELLEE

v.

ANDRES E. BENAVIDES (460-29-1569), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992) it is by the Court this 4th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (TALL)
Appellate Government Counsel (SWETNAM)

APPENDIX XXXX

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68399/AR
CMR Dkt. No. 9102066

UNITED STATES, APPELLEE

v.

ROMAN S. BOND (287-72-6858), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992) it is by the Court this 3rd day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (LEWIS)
Appellate Government Counsel (WALTERS)

APPENDIX YYYY

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68412/AR
CMR Dkt. No. 9102681

UNITED STATES, APPELLEE

v.

JOHN M. BOWERS (140-48-5238), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992) it is by the Court this 3rd day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (ANDREA)
Appellate Government Counsel (SWETNAM)

APPENDIX ZZZZ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68390/AR
CMR Dkt. No. 9102761

UNITED STATES, APPELLEE

v.

PARNELL T. L.BROOME, JR. (465-29-9130), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 3rd day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (NORRIS)
Appellate Government Counsel (BARLETT)

APPENDIX AAAAA

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68214/AR
CMR Dkt. No. 9101206

UNITED STATES, APPELLEE

v.

STEVEN L. BURRELL (249-08-4016), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992) it is by the Court this 3rd day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (WHITE)
Appellate Government Counsel (SWETNAM)

APPENDIX BBBBB

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68316/AR
CMR Dkt. No. 9102525

UNITED STATES, APPELLEE

v.

KENNETH L. CUBBERLY (215-84-5912), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 3rd day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (KEABLE)
Appellate Government Counsel (BARLETT)

APPENDIX CCCCC

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68347/AR
CMR Dkt. No. 9100201

UNITED STATES, APPELLEE

v.

JERRY L. HITCHCOCK (489-66-3530), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 3rd day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (HUBER)
Appellate Government Counsel (McDONALD)

APPENDIX DDDDD

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68397/AR
CMR Dkt. No. 9102126

UNITED STATES, APPELLEE

v.

BARRY MERRITT, JR. (242-19-4573), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 3rd day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (LEWIS)
Appellate Government Counsel (WALTERS)

APPENDIX EEEEE

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68300/AR
CMR Dkt. No. 9102261

UNITED STATES, APPELLEE

v.

CHARLES H. SILAS (339-70-4773), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 4th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (POPE)
Appellate Government Counsel (BARLETT)

APPENDIX FFFFF

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68250/AR
CMR Dkt. No. 9101715

UNITED STATES, APPELLEE

v.

MONICA L. SMITH (395-82-1456), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992) it is by the Court this 3rd day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (KEABLE)
Appellate Government Counsel (BARLETT)

APPENDIX GGGGG

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68265/AR
CMR Dkt. No. 9101638

UNITED STATES, APPELLEE

v.

JUAN E. ST. BERNARD (580-12-4461), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 3rd day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (PACELLA)
Appellate Government Counsel (McDONALD)

APPENDIX HHHHH

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68385/AR
CMR Dkt. No. 9201022

UNITED STATES, APPELLEE

v.

RICHARD J. CHENAULT (384-66-9865), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 4th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (SWOPE)
Appellate Government Counsel (WALTERS)

APPENDIX IIIII

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68389/AR
CMR Dkt. No. 9200751

UNITED STATES, APPELLEE

v.

JENNIFER D. MATTHEWS (426-37-7118), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992) it is by the Court this 4th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (TALL)
Appellate Government Counsel (WALTERS)

APPENDIX JJJJJ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68344/AR
CMR Dkt. No. 9200550

UNITED STATES, APPELLEE

v.

DANIEL C. MORLEY (560-95-4058), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992) it is by the Court this 4th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (WHITE)
Appellate Government Counsel (BARLETT)

APPENDIX KKKKK

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68388/AR
CMR Dkt. No. 9102599

UNITED STATES, APPELLEE

v.

RONNIE R. REICHA, JR. (379-66-0450), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 4th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (LAWLOR)
Appellate Government Counsel

APPENDIX LLLLL

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68337/AR
CMR Dkt. No. 9102567

UNITED STATES, APPELLEE

v.

DELROY A. RHYMER (580-04-3481), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 4th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (TALL)
Appellate Government Counsel (BARLETT)

APPENDIX MMMM

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68312/AR
CMR Dkt. No. 9201151

UNITED STATES, APPELLEE

v.

WILLIAM K. TILLMAN (264-57-0294), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 4th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (TALL)
Appellate Government Counsel (WALTERS)

APPENDIX NNNNN

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68305/AR
CMR Dkt. No. 9101368

UNITED STATES, APPELLEE

v.

SAMUEL L. WADE (245-84-2945), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 4th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (MAYER)
Appellate Government Counsel (McDONALD)

APPENDIX OOOOO

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68411/AR
CMR Dkt. No. 9100873

UNITED STATES, APPELLEE

v.

WILLIAM H. ALLEN (319-62-0221), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 5th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (WEISE)
Appellate Government Counsel (KIRSCHNER)

APPENDIX PPPPP

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68406/AR
CMR Dkt. No. 9100155

UNITED STATES, APPELLEE

v.

WILLIAM M. CHAPPLE (446-76-0041), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 5th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (KEABLE)
Appellate Government Counsel (SWETNAM)

APPENDIX QQQQQ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68475/AR
CMR Dkt. No. 9200976

UNITED STATES, APPELLEE

v.

VIRGIL R. EBOW (433-25-3983), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 5th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (TALL)
Appellate Government Counsel (SWETNAM)

APPENDIX RRRRR

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68398/AR
CMR Dkt. No. 9102828

UNITED STATES, APPELLEE

v.

TOMMY T. FLEENOR (313-84-2455), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992) it is by the Court this 5th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (WIGHT)
Appellate Government Counsel (RUSSELBURG)

APPENDIX SSSSS

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68444/AR
CMR Dkt. No. 9200790

UNITED STATES, APPELLEE

v.

JASON L. HALE (600-26-6836), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 5th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (LEWIS)
Appellate Government Counsel (GRANT)

APPENDIX TTTTT

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68375/AR
CMR Dkt. No. 9102561

UNITED STATES, APPELLEE

v.

MELVIN E. LUCAS, SR. (421-78-5215), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 5th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (DIEDRICHS)
Appellate Government Counsel (GRANT)

APPENDIX UUUUU

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68408/AR
CMR Dkt. No. 9102129

UNITED STATES, APPELLEE

v.

TIMOTHY C. SCRANTON, JR. (175-52-4088), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 5th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (DIEDRICHS)
Appellate Government Counsel (SMITH)

APPENDIX VVVVV

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68465/AR
CMR Dkt. No. 9200051

UNITED STATES, APPELLEE

v.

MARC A. VASIL (286-56-0137), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992) it is by the Court this 5th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (POPE)
Appellate Government Counsel (SWETNAM)

APPENDIX WWWWW

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68437/AR
CMR Dkt. No. 9200230

UNITED STATES, APPELLEE

v.

EDWARD D. WHITE, IV (572-37-9858), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 5th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (WHITE)
Appellate Government Counsel (SWETNAM)

APPENDIX XXXXX

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68452/AR
CMR Dkt. No. 9102086

UNITED STATES, APPELLEE

v.

COREY R. BLACKLEDGE (352-74-5304), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 8th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (POPE)
Appellate Government Counsel (SWETNAM)

APPENDIX YYYYY

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68515/AR
CMR Dkt. No. 9102714

UNITED STATES, APPELLEE

v.

MARC W. CLOSNER (542-15-7570), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992) it is by the Court this 8th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (POPE)
Appellate Government Counsel (SWETNAM)

APPENDIX ZZZZZ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68400/AR
CMR Dkt. No. 9102511

UNITED STATES, APPELLEE

v.

CHRISTOPHER P. GONZALEZ (068-58-1366), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 8th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (PACELLA)
Appellate Government Counsel (RUSSELBURG)

APPENDIX AAAAAA

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68413/AR
CMR Dkt. No. 9200443

UNITED STATES, APPELLEE

v.

JAMES E. GREEN, JR. (499-86-5334), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992) it is by the Court this 8th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (WIGHT)
Appellate Government Counsel (SWETNAM)

APPENDIX BBBBBB

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68371/AR
CMR Dkt. No. 9101545

UNITED STATES, APPELLEE

v.

DARYL W. LUMPKINS (183-52-4512), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 8th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (LAWLOR)
Appellate Government Counsel (WALTERS)

APPENDIX CCCCCC

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68518/AR
CMR Dkt. No. 9100335

UNITED STATES, APPELLEE

v.

ATTICUS A. SHULER (435-57-9752), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992) it is by the Court this 8th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (KEABLE)
Appellate Government Counsel (GRANT)

APPENDIX DDDDDD

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68409/AR
CMR Dkt. No. 9102225

UNITED STATES, APPELLEE

v.

COREY A. STOVALL (263-63-8965), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 8th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (WALTERHOUSE)
Appellate Government Counsel (SWETNAM)

APPENDIX EEEEEE

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68431/AR
CMR Dkt. No. 9101276

UNITED STATES, APPELLEE

v.

CHARLES V. TURNAGE (576-76-9048), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 8th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (WEISE)
Appellate Government Counsel (SWETNAM)

APPENDIX FFFFFF

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68407/AR
CMR Dkt. No. 9101872

UNITED STATES, APPELLEE

v.

KEVIN WARBINGTON (577-86-0471), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 8th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (LAWLOR)
Appellate Government Counsel (BARLETT)

APPENDIX GGGGGG

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68325/AR
CMR Dkt. No. 9102555

UNITED STATES, APPELLEE

v.

DWAYNE E. WILLIAMS (595-09-6781), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 8th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (HUBER)
Appellate Government Counsel (SWETNAM)

APPENDIX HHHHHH

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68450/AR
CMR Dkt. No. 9200726

UNITED STATES, APPELLEE

v.

SCOTT G. BOYEA (395-92-0841), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 9th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (TALL)
Appellate Government Counsel (SWETNAM)

APPENDIX IIIIII

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68467/AR
CMR Dkt. No. 9102799

UNITED STATES, APPELLEE

v.

RICHARD L. BRENT (406-02-6755), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 9th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (KEABLE)
Appellate Government Counsel (SWETNAM)

APPENDIX JJJJJJ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68451/AR
CMR Dkt. No. 9200271

UNITED STATES, APPELLEE

v.

MICHAEL A. BRYANT (247-35-2047), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 9th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (THOMAS)
Appellate Government Counsel (SWETNAM)

APPENDIX KKKKKK

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68442/AR
CMR Dkt. No. 9200966

UNITED STATES, APPELLEE

v.

BRENT K. DYER (007-78-6932), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 9th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (KEABLE)
Appellate Government Counsel (SWETNAM)

APPENDIX LLLLLL

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68404/AR
CMR Dkt. No. 9101601

UNITED STATES, APPELLEE

v.

KENNETH R. FORRESTER (261-87-4765), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 9th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is-affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (SMITH)
Appellate Government Counsel (LUCAS)

APPENDIX MMMMM

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68405/AR
CMR Dkt. No. 9200747

UNITED STATES, APPELLEE

v.

ROSE S. JAMES (096-48-6048), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992) it is by the Court this 9th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (ANDREA)
Appellate Government Counsel (SWETNAM)

APPENDIX NNNNNN

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68410/AR
CMR Dkt. No. 9102301

UNITED STATES, APPELLEE

v.

DARELD R. LERDAHL (500-76-2346), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 9th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (CAREY)
Appellate Government Counsel (SWETNAM)

APPENDIX OOOOOO

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68494/AR
CMR Dkt. No. 9200209

UNITED STATES, APPELLEE

v.

WALTER E. PAGAN (116-60-9266), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 9th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (POPE)
Appellate Government Counsel (SWETNAM)

APPENDIX PPPPPP

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68440/AR
CMR Dkt. No. 9102286

UNITED STATES, APPELLEE

v.

GEORGE P. ROBINSON (228-08-3041), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 9th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (PACELLA)
Appellate Government Counsel (McDONALD)

APPENDIX QQQQQQ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68262/AR
CMR Dkt. No. 9003152

UNITED STATES, APPELLEE

v.

CHARLES D. TILTON, III (568-61-0247), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 9th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (TOOLE)
Appellate Government Counsel (LUCAS)

APPENDIX RRRRRR

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68487/AR
CMR Dkt. No. 9200135

UNITED STATES, APPELLEE

v.

MIGUEL A. CARMONA (110-56-2329), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 10th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (ROYER)
Appellate Government Counsel (SWETNAM)

APPENDIX SSSSSS

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68474/AR
CMR Dkt. No. 9101720

UNITED STATES, APPELLEE

v.

JAMES FORMBY (359-54-9684), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 10th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (HEATON)
Appellate Government Counsel (SMITH)

APPENDIX TTTTTT

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68341/AR
CMR Dkt. No. 9200373

UNITED STATES, APPELLEE

v.

DARNELL HENDERSON (424-08-1238), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 10th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (POPE)
Appellate Government Counsel (WALTERS)

APPENDIX UUUUUU

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68525/AR
CMR Dkt. No. 9201113

UNITED STATES, APPELLEE

v.

DALE E. JARRETT (429-17-3783), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 10th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (TURNEY)
Appellate Government Counsel (GRANT)

APPENDIX VVVVVV

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68486/AR
CMR Dkt. No. 9200315

UNITED STATES, APPELLEE

v.

JUAN R. JONES (488-78-4453), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 10th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (ROYER)
Appellate Government Counsel (GRANT)

APPENDIX WWWWWW

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68383/AR
CMR Dkt. No. 9100564

UNITED STATES, APPELLEE

v.

SANG H. KIM (466-61-4847), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992) it is by the Court this 10th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (MAYER)
Appellate Government Counsel (GRANT)

APPENDIX XXXXXX

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68489/AR
CMR Dkt. No. 9102698

UNITED STATES, APPELLEE

v.

STACEY NORMAN (251-43-4657), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 10th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (POPE)
Appellate Government Counsel (SWETNAM)

APPENDIX YYYYYY

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68492/AR
CMR Dkt. No. 9200907

UNITED STATES, APPELLEE

v.

GEORGE PALACIOS (457-25-5235), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 10th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (POPE)
Appellate Government Counsel (GRANT)

APPENDIX ZZZZZZ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68391/AR
CMR Dkt. No. 9101337

UNITED STATES, APPELLEE

v.

PARNELL T. L. BROOME, JR. (465-29-9130), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 11th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (NORRIS)
Appellate Government Counsel (LUCAS)

APPENDIX AAAAAAA

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0002/AR
CMR Dkt. No. 9200145

UNITED STATES, APPELLEE

v.

KENNETH E. CHAMNESS (527-67-3363), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992) it is by the Court this 11th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (CAREY)
Appellate Government Counsel (SWETNAM)

APPENDIX BBBBBBB

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68537/AR
CMR Dkt. No. 9101158

UNITED STATES, APPELLEE

v.

FRANKLIN G. FRY (430-33-1180), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992) it is by the Court this 11th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (POPE)
Appellate Government Counsel (BARLETT)

APPENDIX CCCCCCC

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68454/AR
CMR Dkt. No. 9003311

UNITED STATES, APPELLEE

v.

NATHANIEL C. HAWKINS (171-64-2297), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 11th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (NORRIS)
Appellate Government Counsel (GRANT)

APPENDIX DDDDDDD

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68327/AR
CMR Dkt. No. 9101887

UNITED STATES, APPELLEE

v.

CESAR MARTINEZ-RODRIGUEZ (284-62-9903), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 11th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (THOMAS)
Appellate Government Counsel (LUCAS)

APPENDIX EEEEEEE

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68479/AR
CMR Dkt. No. 9102536

UNITED STATES, APPELLEE

v.

RICHARD E. MCKEE (557-19-8723), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 11th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (PACELLA)
Appellate Government Counsel (SWETNAM)

APPENDIX FFFFFFF

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68529/AR
CMR Dkt. No. 9200980

UNITED STATES, APPELLEE

v.

JAMES A. NEWBY, III (238-23-1942), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 11th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (WHITE)
Appellate Government Counsel (GRANT)

APPENDIX GGGGGGG

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68453/AR
CMR Dkt. No. 9200344

UNITED STATES, APPELLEE

v.

MAX T. RIGBYMETH (257-96-6853), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 11th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (WHITE)
Appellate Government Counsel (SWETNAM)

APPENDIX HHHHHHH

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68516/AR
CMR Dkt. No. 9200236

UNITED STATES, APPELLEE

v.

MORDIE J. STORY (590-16-8104), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 11th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (HUBER)
Appellate Government Counsel (GRANT)

APPENDIX IIIIIII

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68445/AR
CMR Dkt. No. 9102518

UNITED STATES, APPELLEE

v.

GRAHAM THOMPSON (453-43-4483), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 11th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (WHITE)
Appellate Government Counsel (SWETNAM)

APPENDIX JJJJJJJ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68524/AR
CMR Dkt. No. 9200454

UNITED STATES, APPELLEE

v.

ADONIS T. ADAMS (579-80-9397), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 12th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (LEWIS)
Appellate Government Counsel (GRANT)

APPENDIX KKKKKKK

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68523/AR
CMR Dkt. No. 9200725

UNITED STATES, APPELLEE

v.

RICHARD M. DASCH (194-66-9895), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 12th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (POPE)
Appellate Government Counsel (GRANT)

APPENDIX LLLLLLL

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68370/AR
CMR Dkt. No. 9101713

UNITED STATES, APPELLEE

v.

EVERETT D. FLYNN (244-92-7994), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 12th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (SMITH)
Appellate Government Counsel (WALTERS)

APPENDIX MMMMMM

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68466/AR
CMR Dkt. No. 9200213

UNITED STATES, APPELLEE

v.

GERRY R. HAGUE (237-19-2133), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 12th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (SMITH)
Appellate Government Counsel (SWETNAM)

APPENDIX NNNNNNN

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0007/AR
CMR Dkt. No. 9102803

UNITED STATES, APPELLEE

v.

PONCIANO V. IBANEZ (231-19-6574), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 12th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (PACELLA)
Appellate Gove-nment Counsel (SETNAM)

APPENDIX OOOOOOO

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68455/AR
CMR Dkt. No. 9200719

UNITED STATES, APPELLEE

v.

BOBBY J. LASTER (539-74-4615), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 12th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (TURNEY)
Appellate Government Counsel (SWETNAM)

APPENDIX PPPPPPP

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0006/AR
CMR Dkt. No. 9102540

UNITED STATES, APPELLEE

v.

VINCENT E. MOORE (252-39-8874), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 12th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (CAREY)
Appellate Government Counsel (SWETNAM)

APPENDIX QQQQQQQ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68520/AR
CMR Dkt. No. 9200132

UNITED STATES, APPELLEE

v.

TYRONE R. PHILLIPS (271-74-9654), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 12th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (KEABLE)
Appellate Government Counsel (GRANT)

APPENDIX RRRRRRR

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0028/AR
CMR Dkt. No. 9200582

UNITED STATES, APPELLEE

v.

MANUEL SOLIS, JR. (452-71-0582), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 12th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (POPE)
Appellate Government Counsel (SWETNAM)

APPENDIX SSSSSSS

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68530/AR
CMR Dkt. No. 9200805

UNITED STATES, APPELLEE

v.

CRAIG WILLIAMS (324-74-1887), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 12th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (WHITE)
Appellate Government Counsel (GRANT)

APPENDIX TTTTTTT

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0047/AR
CMR Dkt. No. 9201150

UNITED STATES, APPELLEE

v.

MICHAEL P. COYLE (530-62-3515), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 16th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (LEWIS)
Appellate Government Counsel (SWETNAM)

APPENDIX UUUUUUU

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68507/AR
CMR Dkt. No. 9200270

UNITED STATES, APPELLEE

v.

CLARENCE T. GRAY (106-66-7969), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 16th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (ANDREA)
Appellate Government Counsel (SAUNDERS)

APPENDIX VVVVVVV

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0026/AR
CMR Dkt. No. 9200690

UNITED STATES, APPELLEE

v.

DARRYL P. GULLEY (420-90-2404), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 16th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (WHITE)
Appellate Government Counsel (SWETNAM)

APPENDIX WWWWWWW

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68521/AR
CMR Dkt. No. 9100410

UNITED STATES, APPELLEE

v.

WAYNE H. GULLION (219-92-9779), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 16th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (NORRIS)
Appellate Government Counsel (SWETNAM)

APPENDIX XXXXXXX

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68438/AR
CMR Dkt. No. 9100939

UNITED STATES, APPELLEE

v.

SCOTT HAMILTON-DAVIDSON (550-72-3792), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 16th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (NORRIS)
Appellate Government Counsel (LUCAS)

APPENDIX YYYYYYY

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0023/AR
CMR Dkt. No. 9200507

UNITED STATES, APPELLEE

v.

DAVID A. HOWE (301-70-7090), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 16th day of March, 1993

ORDERED

That the decision of the United States Army Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Army
Appellate Defense Counsel (NORRIS)
Appellate Government Counsel (SWETNAM)

APPENDIX ZZZZZZZ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68457/NA
CMR Dkt. No. 91-1566

UNITED STATES, APPELLEE

v.

PHILLIP L. JONES (462-23-9221), APPELLANT

ORDER DENYING PETITION

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review, it is by the Court this 12th day of January, 1993,

ORDERED

That said petition be, and the same is hereby denied.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (SHELDON)
Appellate Government Counsel (HENRIQUES)

APPENDIX AAAAAAAA

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0082/NA
CMR Dkt. No. 92-0954

UNITED STATES, APPELLEE

v.

WALTER L. THOMAS (254-25-8792), APPELLANT

ORDER DENYING PETITION

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review, it is by the Court this 12th day of January, 1993,

ORDERED

That said petition be, and the same is hereby denied.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (SHELDON)
Appellate Government Counsel (MERSEREAU)

APPENDIX BBBBBBBB

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68304/MC
CMR Dkt. No. 92-0059

UNITED STATES, APPELLEE

v.

JOHN H. STROWBRIDGE (174-54-3957), APPELLANT

ORDER DENYING PETITION

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review, it is by the Court this 13th day of January, 1993,

ORDERED

That said petition be, and the same is hereby denied.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (McFADDEN)
Appellate Government Counsel (HESS)

APPENDIX CCCCCCCC

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68082/MC
CMR Dkt. No. 89-1623

UNITED STATES, APPELLEE

v.

MICHAEL J. KRONE (536-92-9346), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 14th day of January, 1993,

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (FITZSIMONS-RAZIM)
Appellate Government Counsel (STALLINGS)

APPENDIX DDDDDDDD

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0060/NA
CMR Dkt. No. 92-0764

UNITED STATES, APPELLEE

v.

ANDRE D. POWELL (366-76-5514), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 14th day of January, 1993,

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (MILLER)
Appellate Government Counsel (HUBER)

APPENDIX EEEEEEEE

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68425/MC
CMR Dkt. No. 91-0711

UNITED STATES, APPELLEE

v.

ANDRE R. REYES (557-65-2845), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 14th day of January, 1993,

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (MILLER)
Appellate Government Counsel (HUBER)

APPENDIX FFFFFFFF

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68511/MC
CMR Dkt. No. 91-1673

UNITED STATES, APPELLEE

v.

JOSEPH J. NELSON (433-29-1902), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 15th day of January, 1993,

ORDERED

That said petition is hereby granted on Issue II raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (MILLER)
Appellate Government Counsel (HESS)

APPENDIX GGGGGGGG

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68483/NA
CMR Dkt. No. 91-3224

UNITED STATES, APPELLEE

v.

GORDON E. NEVENER (443-50-6618), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 15th day of January, 1993,

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (HIGDON)
Appellate Government Counsel (POWELL)

APPENDIX HHHHHHHH

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0135/NA
CMR Dkt. No. 91-3120

UNITED STATES, APPELLEE

v.

CHARLES RAYFORD (591-05-0855), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss,* __ MJ __ (CMA December 21, 1992), it is by the Court this 15th day of January, 1993,

ORDERED

That said petition is hereby granted on Issue II raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (SHELDON)
Appellaté Government Counsel (MUSCHAMP)

APPENDIX IIIIIIII

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0013/NA
CMR Dkt. No. 92-0660

UNITED STATES, APPELLEE

v.

JEFFREY L. WOODS (291-66-8994), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 15th day of January, 1993,

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (DOUGLAS)
Appellate Government Counsel (HUBER)

APPENDIX JJJJJJJJ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0031/NA
CMR Dkt. No. 91-2980

UNITED STATES, APPELLEE

v.

CARLOS J. JIMENEZ (550-39-8877), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 19th day of January, 1993,

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (CRISFIELD)
Appellate Government Counsel (HUBER)

APPENDIX KKKKKKKK

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0004/NA
CMR Dkt. No. 92-1685

UNITED STATES, APPELLEE

v.

CHARLES R. MEDLIN (239-31-9734), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 19th day of January, 1993,

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (SAMPSON)
Appellate Government Counsel (POWELL)

APPENDIX LLLLLLLL

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68526/NA
CMR Dkt. No. 91-2993

UNITED STATES, APPELLEE

v.

SCOTT T. McNICHOLS (202-54-5412), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 19th day of January, 1993,

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (CRISFIELD)
Appellate Government Counsel (HUBER)

APPENDIX MMMMMMM

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68478/NA
CMR Dkt. No. 91-3225

UNITED STATES, APPELLEE

v.

ROBERT S. PATTERSON (423-76-2663), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 19th day of January, 1993,

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (GEARY)
Appellate Government Counsel (DIAZ)

APPENDIX NNNNNNNN

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0097/MC
CMR Dkt. No. 92-0319

UNITED STATES, APPELLEE

v.

ANTHONY T. SLATER (365-96-0185), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 19th day of January, 1993,

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (HIGDON)
Appellate Government Counsel (HUBER)

APPENDIX OOOOOOOO

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68482/NA
CMR Dkt. No. 92-0841

UNITED STATES, APPELLEE

v.

DAVID A. SMITH (028-64-7717), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 19th day of January, 1993,

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (HIGDON)
Appellate Government Counsel (POWELL)

APPENDIX PPPPPPPP

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0010/NA
CMR Dkt. No. 91-3160

UNITED STATES, APPELLEE

v.

JOSEPH J. BRADLEY (276-84-9025), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 22nd day of January, 1993,

ORDERED

That said petition is hereby granted on Issue II raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (DOUGLAS)
Appellate Government Counsel (MERSEREAU)

APPENDIX QQQQQQQ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0078/MC
CMR Dkt. No. 91-2905

UNITED STATES, APPELLEE

v.

GREGORY A. DAWSON (403-02-3926), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 22nd day of January, 1993,

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (DOUGLAS)
Appellate Government Counsel (POWELL)

APPENDIX RRRRRRRR

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0040/NA
CMR Dkt. No. 92-0730

UNITED STATES, APPELLEE

v.

ANDREW M. ROAF (432-39-6744), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 22nd day of January, 1993,

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (SAMPSON)
Appellate Government Counsel (HUBER)

APPENDIX SSSSSSSS

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0073/NA
CMR Dkt. No. 92-0946

UNITED STATES, APPELLEE

v.

DENNIS M. RODGERS (587-37-3669), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, __ MJ __ (CMA December 21, 1992), it is by the Court this 22nd day of January, 1993,

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (CRISFIELD)
Appellate Government Counsel

APPENDIX TTTTTTTT

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68055/NA
CMR Dkt. No. 91-1363

UNITED STATES, APPELLEE

v.

STANLEY C. CLARKSON (437-04-5691), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf*, 35 MJ 450 (CMA 1992) (as to Issue III) and *United States v. Weiss*, 36 MJ 224 (CMA December 21, 1992) (as to Issue II), it is by the Court this 17th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (CRISFIELD)
Appellate Government Counsel (SUSANIN)

APPENDIX UUUUUUUU

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68054/NA
CMR Dkt. No. 90-2531

UNITED STATES, APPELLEE

v.

BOBBY L. FREEMAN (564-11-6403), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue II) and *United States v. Weiss,* 36 MJ 224 (CMA December 21, 1992) (as to Issue I), it is by the Court this 17th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (FOIL)
Appellate Government Counsel

APPENDIX VVVVVVVV

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68116/NA
CMR Dkt. No. 91-2172

UNITED STATES, APPELLEE

v.

COREY L. HARRISON (043-66-7374), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue II) and *United States v. Weiss,* 36 MJ 224 (CMA December 21, 1992) (as to Issue I), it is by the Court this 17th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (MILLER)
Appellate Government Counsel (POWELL)

APPENDIX WWWWWWWW

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68057/NA
CMR Dkt. No. 91-2359

- UNITED STATES, APPELLEE

v.

MICHAEL L. RIPLEY (553-77-8648), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue II) and *United States v. Weiss,* 36 MJ 224 (CMA December 21, 1992) (as to Issue III), it is by the Court this 17th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (CRISFIELD)
Appellate Government Counsel (MANION)

APPENDIX XXXXXXXX

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68004/NA
CMR Dkt. No. 91-2225

UNITED STATES, APPELLEE

v.

JOHN M. WILDNAUER (181-52-5232), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue I) and *United States v. Weiss,* 36 MJ 224 (CMA December 21, 1992) (as to Issue II), it is by the Court this 17th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (SHELDON)
Appellate Government Counsel (MUSCHAMP)

APPENDIX YYYYYYYY

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0194/NA
CMR Dkt. No. 92-0905

UNITED STATES, APPELLEE

v.

MARK E. BRATTON (322-68-9471), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 18th day of February, 1993

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (HIGDON)
Appellate Government Counsel (HUBER)

APPENDIX *ZZZZZZZZ*

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0072/MC
CMR Dkt. No. 91-2425

UNITED STATES, APPELLEE

v.

CECIL A. EVANS (567-93-3912), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992), it is by the Court this 18th day of February, 1993

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (PALLESEN)
Appellate Government Counsel (DIAZ)

APPENDIX AAAAAAAAA

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0096/NA
CMR Dkt. No. 92-0355

UNITED STATES, APPELLEE

v.

ANTHONY M. HARDAWAY (279-64-5955), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992), it is by the Court this 18th day of February, 1993

ORDERED

That said petition is hereby granted on Issue III raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (DOUGLAS)
Appellate Government Counsel (DIAZ)

APPENDIX BBBBBBBBB

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0085/NA
CMR Dkt. No. 91-0879

UNITED STATES, APPELLEE

v.

JAMES D. MORGAN (557-63-5796), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992), it is by the Court this 18th day of February, 1993

ORDERED

That said petition is hereby granted on Issue II raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (PALLESEN)
Appellate Government Counsel (MERSEREAU)

APPENDIX CCCCCCCCC

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0074/NA
CMR Dkt. No. 91-3022

UNITED STATES, APPELLEE

v.

FRANK L. RAMIREZ (585-88-7191), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992), it is by the Court this 18th day of February, 1993

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (CRISFIELD)
Appellate Government Counsel (HUBER)

APPENDIX DDDDDDDDD

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0190/MC
CMR Dkt. No. 91-1472

UNITED STATES, APPELLEE

v.

RONALD T. ROBINSON (023-46-3789), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992), it is by the Court this 18th day of February, 1993

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (HIGDON)
Appellate Government Counsel (STIEHM)

APPENDIX EEEEEEEEE

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0087/MC
CMR Dkt. No. 92-1331

UNITED STATES, APPELLEE

v.

FELICIA L. WHITE (260-11-7865), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 18th day of February, 1993

ORDERED

That said petition is hereby granted on Issue II raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (LUSTRE)
Appellate Government Counsel (STIEHM)

APPENDIX FFFFFFFFF

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0175/MC
CMR Dkt. No. 89-4340

UNITED STATES, APPELLEE

v.

RICHARD K. BORMAN (123-64-3012), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992), it is by the Court this 19th day of February, 1993

ORDERED

That said petition is hereby granted on Issue II raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (FOIL)
Appellate Government Counsel (MERSEREAU)

APPENDIX GGGGGGGGG

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0156/NA
CMR Dkt. No. 92-0292

UNITED STATES, APPELLEE

v.

ANTHONY L. FRAZIER (418-92-6090), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992), it is by the Court this 19th day of February, 1993

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (CRISFIELD)
Appellate Government Counsel (HUBER)

APPENDIX HHHHHHHHH

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0193/NA
CMR Dkt. No. 92-1797

UNITED STATES, APPELLEE

v.

BURDETTE E. STARCHER (294-62-0982), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 19th day of February, 1993

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (DOUGLAS)
Appellate Government Counsel (HUBER)

APPENDIX IIIIIIII

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68177/NA
CMR Dkt. No. 92-0076

UNITED STATES, APPELLEE

v.

PAUL F. DAVIS (452-69-5722), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue II) and *United States v. Weiss,* 36 MJ 224 (CMA 1992) (as to Issue I), it is by the Court this 22nd day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (FOIL)
Appellate Government Counsel (POWELL)

APPENDIX JJJJJJJJ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68296/MC
CMR Dkt. No. 91-3019

UNITED STATES, APPELLEE

v.

DEREK M. TALLEY (558-87-3464), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue II) and *United States v. Weiss,* 36 MJ 224 (CMA 1992) (as to Issue I), it is by the Court this 22nd day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (CRISFIELD)
Appellate Government Counsel (POWELL)

APPENDIX KKKKKKKKK

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68338/NA
CMR Dkt. No. 92-0976

UNITED STATES, APPELLEE

v.

TIMOTHY A. ANDERSON (263-89-1112), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue II) and *United States v. Weiss,* 36 MJ 224 (CMA 1992) (as to Issue I), it is by the Court this 23rd day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (SAMPSON)
Appellate Government Counsel (POWELL)

APPENDIX LLLLLLLLL

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0173/NA
CMR Dkt. No. 92-1315

UNITED STATES, APPELLEE

v.

LEONARD BROWN (254-19-6436), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 23rd day of February, 1993

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (DOUGLAS)
Appellate Government Counsel (HUBER)

APPENDIX MMMMMMMM

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68420/NA
CMR Dkt. No. 92-0445

UNITED STATES, APPELLEE

v.

MICHAEL C. FISHER (286-70-9328), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf*, 35 MJ 450 (CMA 1992) (as to Issue II) and *United States v. Weiss*, 36 MJ 224 (CMA 1992) (as to Issue I), it is by the Court this 23rd day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (RAZIM-FITZSIMONS)
Appellate Government Counsel (POWELL)

APPENDIX NNNNNNNNN

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0170/NA
CMR Dkt. No. 92-1082

UNITED STATES, APPELLEE

v.

JAMES F. HURST (265-85-3328), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992), it is by the Court this 23rd day of February, 1993

ORDERED

That said petition is hereby granted on Issue IV raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (JONAS)
Appellate Government Counsel (STALLINGS)

APPENDIX OOOOOOOOO

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0196/MC
CMR Dkt. No. 92-0046

UNITED STATES, APPELLEE

v.

KEVIN T. KIBODEAUX (437-17-2157), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 23rd day of February, 1993

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (HIGDON)
Appellate Government Counsel (FOSTER)

APPENDIX PPPPPPPPP

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0192/NA
CMR Dkt. No. 92-0945

UNITED STATES, APPELLEE

v.

STUART J. RAMOS (279-72-7522), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992), it is by the Court this 23rd day of February, 1993

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (PALLESEN)
Appellate Government Counsel (POWELL)

APPENDIX QQQQQQQQ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0155/NA
CMR Dkt. No. 91-1777

UNITED STATES, APPELLEE

v.

DAVID O. RILEY (271-46-4293), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 23rd day of February, 1993

ORDERED

That said petition is hereby granted on Issue II raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (MILLER)
Appellate Government Counsel (MANION)

APPENDIX RRRRRRRRR

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68329/NA
CMR Dkt. No. 92-0802

UNITED STATES, APPELLEE

v.

DEVALON W. SINGLETON (514-82-4709), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf*, 35 MJ 450 (CMA 1992) (as to Issue II) and *United States v. Weiss*, 36 MJ 224 (CMA 1992) (as to Issue I), it is by the Court this 23rd day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (PALLESEN)
Appellate Government Counsel (POWELL)

APPENDIX SSSSSSSS

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0221/NA
CMR Dkt. No. 92-0303

UNITED STATES, APPELLEE

v.

CLINT B. WEBER (465-33-5565), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 23rd day of February, 1993

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (SHELDON)
Appellate Government Counsel (HUBER)

APPENDIX TTTTTTTTT

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68229/NA
CMR Dkt. No. 91-2224

UNITED STATES, APPELLEE

v.

THOMAS O. BAILEY (250-41-4040), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 24th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (CRISFIELD)
Appellate Government Counsel (POWELL)

APPENDIX UUUUUUUUU

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68188/NA
CMR Dkt. No. 91-2030

UNITED STATES, APPELLEE

v.

KEITH A. BOWEN (030-66-9665), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 24th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (CRISFIELD)
Appellate Government Counsel (POWELL)

APPENDIX VVVVVVVVV

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0260/NA
CMR Dkt. No. 89-1117

UNITED STATES, APPELLEE

v.

KEVIN G. BROOKS (219-82-3575), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 24th day of February, 1993

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (HIGDON)
Appellate Government Counsel (HENRIQUES)

APPENDIX WWWWWWWWW

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0064/NA
NMCMR Dkt. No. 90-3775

UNITED STATES, APPELLEE

v.

ERIC J. BROWN (300-44-8837), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review, it is by the Court this 24th day of February, 1993

ORDERED

That said petition is hereby granted on the issue raised by appellate defense counsel; and

Briefs will be filed under Rule 25.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (FRANK)
Appellate Government Counsel (MUSCHAMP)

APPENDIX XXXXXXXXX

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68323/NA
CMR Dkt. No. 92-0338

UNITED STATES, APPELLEE

v.

VINSON J. BURRIS (412-41-2455), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 24th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (SAMPSON)
Appellate Government Counsel (POWELL)

APPENDIX YYYYYYYYY

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0236/NA
CMR Dkt. No. 92-1159

UNITED STATES, APPELLEE

v.

SCOTT T. CLARK (493-92-6741), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 24th day of February, 1993

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (HIGDON)
Appellate Government Counsel (HUBER)

APPENDIX ZZZZZZZZZ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0245/NA
CMR Dkt. No. 92-0251

UNITED STATES, APPELLEE

v.

ARTHUR S. DAY (550-35-3315), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992), it is by the Court this 24th day of February, 1993

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (FOIL)
Appellate Government Counsel (HUBER)

APPENDIX AAAAAAAAAA

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 67970/MC
CMR Dkt. No. 91-1158

UNITED STATES, APPELLEE

v.

JOHN F. FOWLER (299-76-1375), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 24th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (CAVE)
Appellate Government Counsel (POWELL)

APPENDIX BBBBBBBBBB

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0197/NA
CMR Dkt. No. 92-1298

UNITED STATES, APPELLEE

v.

SETH O. HEATH (595-48-9405), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 24th day of February, 1993

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (HIGDON)
Appellate Government Counsel (HUBER)

APPENDIX CCCCCCCCCC

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68373/MC
CMR Dkt. No. 91-2501

UNITED STATES, APPELLEE

v.

JOSEPH M. HOFFER (220-88-7476), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 24th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (GEARY)
Appellate Government Counsel (POWELL)

APPENDIX DDDDDDDDDD

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0191/NA
CMR Dkt. No. 92-1217

UNITED STATES, APPELLEE

v.

WILLIAM C. LEAVELL (257-49-5793), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992), it is by the Court this 24th day of February, 1993

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (DOUGLAS)
Appellate Government Counsel (HUBER)

APPENDIX EEEEEEEEEE

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68366/NA
CMR Dkt. No. 92-0483

UNITED STATES, APPELLEE

v.

VIBOON NIMITPATTANA (067-70-6780), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992) it is by the Court this 24th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (PALLESEN)
Appellate Government Counsel (POWELL)

APPENDIX FFFFFFFFFF

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0233/MC
CMR Dkt. No. 92-1043

UNITED STATES, APPELLEE

v.

RYAN M. ORTEGA (363-98-1422), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992), it is by the Court this 24th day of February, 1993

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (HIGDON)
Appellate Government Counsel (HUBER)

APPENDIX GGGGGGGGGG

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0168/NA
CMR Dkt. No. 92-0586

UNITED STATES, APPELLEE

v.

SEAN C. PLEAS (572-19-2188), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 24th day of February, 1993

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (CRISFIELD)
Appellate Government Counsel (HUBER)

APPENDIX HHHHHHHHHH

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68246/NA
CMR Dkt. No. 91-2838

UNITED STATES, APPELLEE

v.

RICHARD A. PURSELL (505-02-4954), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 24th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (SULLIVAN)
Appellate Government Counsel (STIEHM)

APPENDIX IIIIIIIII

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 67909/NA
CMR Dkt. No. 91-1040

UNITED STATES, APPELLEE

v.

TREVOR L. SHATEK (468-02-0684), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 24th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992):

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (SULLIVAN)
Appellate Government Counsel (ANDERSON)

APPENDIX JJJJJJJJJJ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0195/NA
CMR Dkt. No. 92-1869

UNITED STATES, APPELLEE

v.

WILLIAM F. ST GERMAINE (393-72-8383), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 24th day of February, 1993

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (DOUGLAS)
Appellate Government Counsel (HUBER)

APPENDIX KKKKKKKKKK

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68423/MC
CMR Dkt. No. 92-0858

UNITED STATES, APPELLEE

v.

RICHARD L. STRUBEN (310-88-5823), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 24th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (FOIL)
Appellate Government Counsel (POWELL)

APPENDIX LLLLLLLLLL

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68372/MC
CMR Dkt. No. 91-3196

UNITED STATES, APPELLEE

v.

EDWARD E. TINDALL (316-80-0489), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 24th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (SULLIVAN)
Appellate Government Counsel (POWELL)

APPENDIX MMMMMMMMM

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68539/MC
CMR Dkt. No. 92-1687

UNITED STATES, APPELLEE

v.

MIKE CANAS (337-72-3894), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 25th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (SAMPSON)
Appellate Government Counsel (POWELL)

APPENDIX NNNNNNNNNN

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0095/MC
CMR Dkt. No. 92-1185

UNITED STATES, APPELLEE

v.

MARIO A. CHOCRON (564-75-6860), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 25th day of February, 1993

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (DOUGLAS)
Appellate Government Counsel (POWELL)

APPENDIX OOOOOOOOOO

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68477/MC
CMR Dkt. No. 91-1057

UNITED STATES, APPELLEE

v.

TOMAS FIGUEROA (077-58-5451), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 25th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (PALLESEN)
Appellate Government Counsel (POWELL)

APPENDIX PPPPPPPPPP

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68422/MC
CMR Dkt. No. 92-0933

UNITED STATES, APPELLEE

v.

JOSEPH D. GAFFORD, II (362-80-6616), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 25th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (LUSTRE)
Appellate Government Counsel (POWELL)

APPENDIX QQQQQQQQQ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0169/MC
CMR Dkt. No. 92-1257

UNITED STATES, APPELLEE

v.

SEAN R. GALLAGHER (069-60-3885), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 25th day of February, 1993

ORDERED

That said petition is hereby granted on Issue I raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (DOUGLAS)
Appellate Government Counsel (HUBER)

APPENDIX RRRRRRRRRR

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68228/MC
CMR Dkt. No. 91-2246

UNITED STATES, APPELLEE

v.

DONALD F. GEORGE (309-90-5953), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992) it is by the Court this 25th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (PALLESEN)
Appellate Government Counsel (SCUDDER)

APPENDIX SSSSSSSSS

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68374/NA
CMR Dkt. No. 91-2424

UNITED STATES, APPELLEE

v.

MICHAEL K. HAMM (379-60-2729), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 25th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Miiitary Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (PALLESEN)
Appellate Government Counsel (POWELL)

APPENDIX TTTTTTTTTT

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68237/MC
CMR Dkt. No. 91-1821

UNITED STATES, APPELLEE

v.

ERNESTO HERNANDEZ (467-21-2959), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992) it is by the Court this 25th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (HIGDON)
Appellate Government Counsel (STIEHM)

APPENDIX UUUUUUUUUU

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68402/NA
CMR Dkt. No. 92-0751

UNITED STATES, APPELLEE

v.

RUSSELL HOLMES (571-65-2519), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 25th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (FOIL)
Appellate Government Counsel (POWELL)

APPENDIX VVVVVVVVVV

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0025/NA
CMR Dkt. No. 92-1123

UNITED STATES, APPELLEE

v.

SAMUEL S. JOHNSTON (430-33-1918), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 25th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (SAMPSON)
Appellate Government Counsel (POWELL)

APPENDIX WWWWWWWWW

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0014/MC
CMR Dkt. No. 92-0269

UNITED STATES, APPELLEE

v.

JOHN E. PATTON (298-60-9565), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 25th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (FOIL)
Appellate Government Counsel (POWELL)

APPENDIX XXXXXXXXXX

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68421/NA
CMR Dkt. No. 92-0995

UNITED STATES, APPELLEE

v.

ERIC D. WHITE (587-23-0185), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992) it is by the Court this 25th day of February, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (LUSTRE)
Appellate Government Counsel (POWELL)

APPENDIX YYYYYYYYYY

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68187/NA
CMR Dkt. No. 91-1011

UNITED STATES, APPELLEE

v.

ROGER M. DAIL (087-62-6599), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue II) and *United States v. Weiss,* 36 MJ 224 (CMA 1992) (as to Issue I), it is by the Court this 1st day of March, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (CRISFIELD)
Appellate Government Counsel (POWELL)

APPENDIX ZZZZZZZZZZ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68170/MC
CMR Dkt. No. 91-2525

UNITED STATES, APPELLEE

v.

TONY H. MORADIAN (433-37-8883), APPELLANT

ORDER

On consideration of the granted issues in the above-styled case in light of *United States v. Graf,* 35 MJ 450 (CMA 1992) (as to Issue II) and *United States v. Weiss,* 36 MJ 224 (CMA 1992) (as to Issue I), it is by the Court this 1st day of March, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (RAZIM-FITZSIMONS)
Appellate Government Counsel (SUSANIN)

APPENDIX AAAAAAAAAAA

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68419/NA
CMR Dkt. No. 91-2370

UNITED STATES, APPELLEE

v.

HARVEY BLATHERS (251-27-1636), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 2nd day of March, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (PALLESEN)
Appellate Government Counsel (POWELL)

APPENDIX BBBBBBBBBBB

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0009/MC
CMR Dkt. No. 92-0325

UNITED STATES, APPELLEE

v.

SCOTT BOYDSON (529-15-9119), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 2nd day of March, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (PALLESEN)
Appellate Government Counsel (POWELL)

APPENDIX CCCCCCCCCCC

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68503/NA
CMR Dkt. No. 91-3213

UNITED STATES, APPELLEE

v.

MARK R. CONKLIN (188-52-8239), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 2nd day of March, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (CRISFIELD)
Appellate Government Counsel (MUSCHAMP)

APPENDIX DDDDDDDDDDD

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68540/MC
CMR Dkt. No. 92-1626

UNITED STATES, APPELLEE

v.

ROBERT T. EVEN (480-06-7351), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 2nd day of March, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (SAMPSON)
Appellate Government Counsel (POWELL)

APPENDIX EEEEEEEEEEE

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0003/MC
CMR Dkt. No. 92-1629

UNITED STATES, APPELLEE

v.

JAMES K. FITZGERALD (233-15-9813), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 2nd day of March, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (SAMPSON)
Appellate Government Counsel (POWELL)

APPENDIX FFFFFFFFFF

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68433/MC
CMR Dkt. No. 92-0021

UNITED STATES, APPELLEE

v.

HARVEY L. HENSLEY (037-52-8933), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 2nd day of March, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (RIGA, Esq.)
Appellate Government Counsel (POWELL)

APPENDIX GGGGGGGGGG

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0016/MC
CMR Dkt. No. 92-0573

UNITED STATES, APPELLEE

v.

TROY A. HESSE (100-68-0249), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 2nd day of March, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (SAMPSON)
Appellate Government Counsel (POWELL)

APPENDIX HHHHHHHHHHH

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68476/MC
CMR Dkt. No. 91-0917

UNITED STATES, APPELLEE

v.

EUSTACE L. REYNOLDS (056-64-5274), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss*, 36 MJ 224 (CMA 1992) it is by the Court this 2nd day of March, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss*, 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (HIGDON)
Appellate Government Counsel (SCUDDER)

APPENDIX IIIIIIIIII

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0012/NA
CMR Dkt. No. 2-1696

UNITED STATES, APPELLEE

v.

DERRICK STEVENS (424-08-6031), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 2nd day of March, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (SAMPSON)
Appellate Government Counsel (POWELL)

APPENDIX JJJJJJJJJJ

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68339/NA
CMR Dkt. No. 92-0397

UNITED STATES, APPELLEE

v.

BROCK A. WELLMAN (461-15-3671), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 2nd day of March, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (LUSTRE)
Appellate Government Counsel (HUBER)

APPENDIX KKKKKKKKKKK

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0011/NA
CMR Dkt. No. 92-1569

UNITED STATES, APPELLEE

v.

ROY F. THOMPSON (242-25-3593), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 2nd day of March, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (SAMPSON)
Appellate Government Counsel (POWELL)

APPENDIX LLLLLLLLLL

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68367/NA
CMR Dkt. No. 91-2690

UNITED STATES, APPELLEE

v.

KEVIN M. JONES (422-78-0866), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 5th day of March, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (PALLESEN)
Appellate Government Counsel (POWELL)

APPENDIX MMMMMMMMMM

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68424/MC
CMR Dkt. No. 91-0635

UNITED STATES, APPELLEE

v.

ROBERT J. PIERRIE (045-54-3882), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Navy-Marine Corps Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 8th day of March, 1993

ORDERED

That said petition is hereby granted on Issue III raised by appellate defense counsel; and

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (PALLESEN)
Appellate Government Counsel (SCUDDER)

APPENDIX NNNNNNNNNN

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 68357/MC
CMR Dkt. No. 91-3144

UNITED STATES, APPELLEE

v.

STEVEN A. BELL (432-45-0495), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 10th day of March, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (CRISFIELD)
Appellate Government Counsel (HUBER)

APPENDIX OOOOOOOOOOO

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 93-0015/MC
CMR Dkt. No. 92-0700

UNITED STATES, APPELLEE

v.

ERIC L. JOHNSON (358-74-8822), APPELLANT

ORDER

On consideration of the granted issue in the above-styled case in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992) it is by the Court this 10th day of March, 1993

ORDERED

That the decision of the United States Navy-Marine Corps Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

Judge CRAWFORD concurs in the result per her separate opinion in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

Chief Judge SULLIVAN and Judge WISS dissent for the reasons stated in their separate opinions in *United States v. Weiss,* 36 MJ 224 (CMA 1992).

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (SAMPSON)
Appellate Government Counsel (POWELL)

APPENDIX PPPPPPPPPP

UNITED STATES COURT OF MILITARY APPEALS

USCMA Dkt. No. 65529/AF
CMR Dkt. No. 27820

UNITED STATES, APPELLEE

v.

JAMES D. MARSHALL (293-40-4234), APPELLANT

ORDER

On consideration of the petition for grant of review of the decision of the United States Air Force Court of Military Review in light of *United States v. Weiss,* 36 MJ 224 (CMA 1992), it is by the Court this 3rd day of March, 1993

ORDERED

That said petition is hereby granted on the following issue personally assigned by the appellant:

> WERE THE TRIAL AND COURT OF MILITARY OF REVIEW JUDGES APPOINTED IN VIOLATION OF THE APPOINTMENTS CLAUSE OF THE CONSTITUTION?

The decision of the United States Air Force Court of Military Review is affirmed.

For the Court,

/s/ John A. Cutts, III
Deputy Clerk of the Court

cc: The Judge Advocate General of the Navy
Appellate Defense Counsel (MOUL)
Appellate Government Counsel (HOLLIS)